

**A RESOLUTION BY
COUNCILMEMBER CARLA SMITH**

05-R-0517

**AS AMENDED BY
TRANSPORTATION COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER AN
ENCROACHMENT AGREEMENT FOR NON-CONFORMING
USES OR OTHER APPROPRIATE AGREEMENT WITH THE
ATLANTA BRAVES ORGANIZATION FOR THE INSTALLATION
OF TRAILBLAZER SIGNAGE AND DIRECTIONAL SIGNAGE
SURROUNDING THE TURNER FIELD CAMPUS IN THE CITY OF
ATLANTA; AND FOR OTHER PURPOSES**

WHEREAS, the Atlanta Braves organization has demonstrated an affirmative commitment to addressing the traffic burden borne by the neighborhoods surrounding the Turner Field Ballpark; and


WHEREAS, the Atlanta Braves organization desires to promote public health, safety and welfare by instituting traffic calming measures in the vicinity of the Turner Field campus by reducing the ancillary traffic burden borne by the neighborhoods surrounding the ballpark; to aid the Atlanta Police Department in routing of ballpark bound traffic; to provide pedestrian friendly corridors; and to elevate consumer satisfaction with one of the City's major sporting attractions; and

WHEREAS, the Atlanta Braves organization, as part of its traffic improvement project, desires to make improvements to the Turner Field campus, consisting of the installation of trailblazer signage, vehicular directional signage, including Portable Changeable Message Signs, and lane designation/lane assignment signage to orient motorists traveling on the arterial approaching Turner Field (collectively known as "the Project"); and

WHEREAS, the Project would affect the streets surrounding and approaching the ballpark and would serve to facilitate and improve the traffic flow around Turner Field; and

WHEREAS, the Atlanta Braves organization desires to construct and install on its campus, as part of the Project, certain elements that will encroach into the City of Atlanta Rights-of-Way, consisting of existing and newly constructed utility poles supporting attached identification embellishments (collectively, the "Encroachments") surrounding the Turner Field campus, said locations shown on Exhibit A attached hereto and incorporated herein by reference (the "Encroachment Area(s)"); and

WHEREAS, Atlanta Braves organization desires to obtain from the City of Atlanta an agreement for the construction, installation, maintenance, repair and replacement of the



Encroachments into, and the presence and existence of the Encroachments in, the Encroachment Areas; and

WHEREAS, the Atlanta Braves organization is requesting this permanent construction and maintenance agreement to accomplish the tasks identified above; and

WHEREAS, the City of Atlanta's Code of Ordinances, Section 138, Article II, requires a Right-of-Way Encroachment Agreement for non-conforming uses for the construction and operation of private structures or properties that encroach into and within the public right-of-way for which there is not an applicable agreement; and

WHEREAS, The Commissioner of the Department of Public Works has reviewed the plans for the Right-of-Way Encroachments and has determined that the work will not adversely impact the ability of the affected Rights-of-Way to handle vehicular or pedestrian traffic or otherwise to perform its intended public function.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

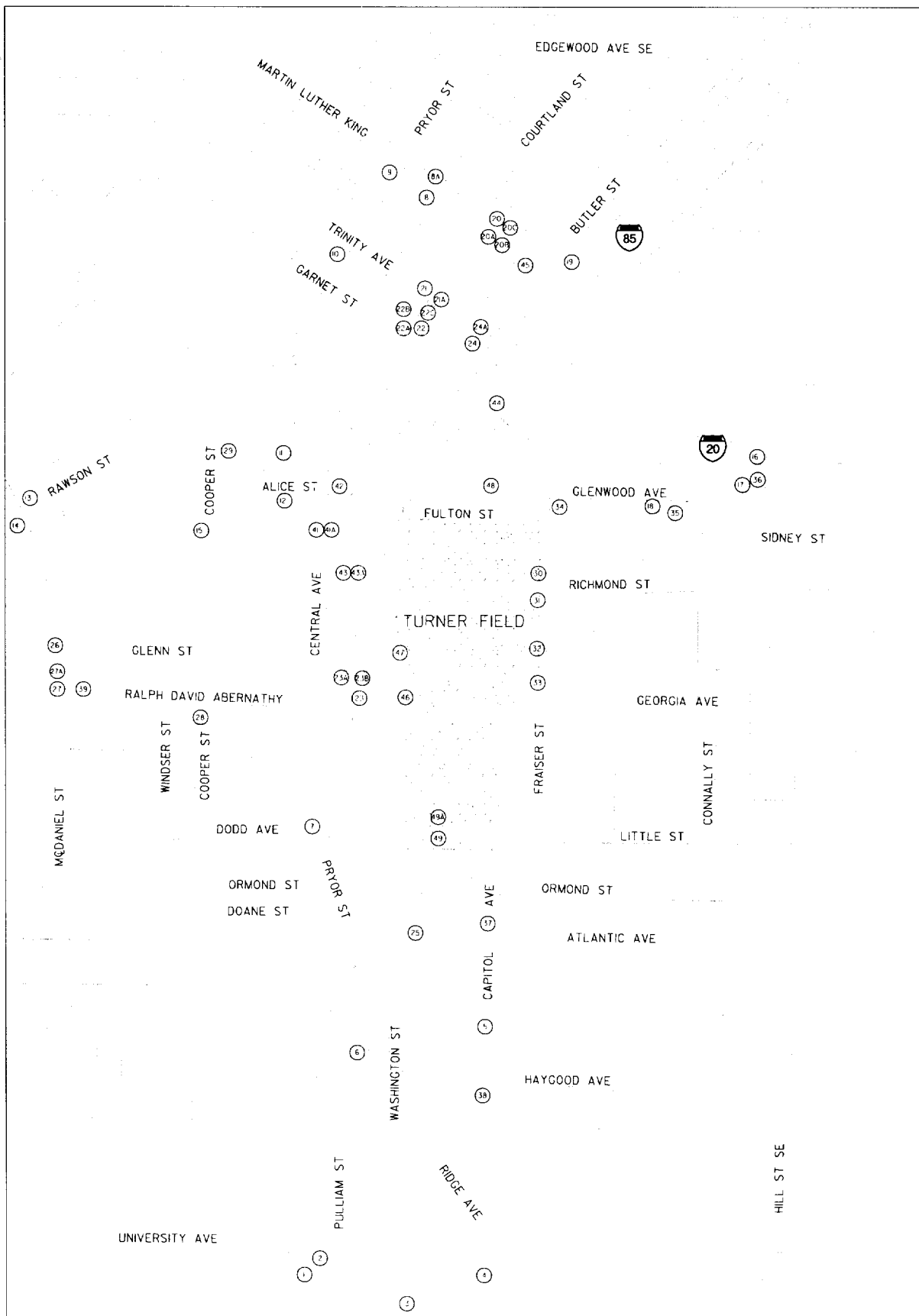
- Section 1.** The Mayor is authorized to enter into an Encroachment Agreement for Nonconforming Uses, as outlined Section 138, Article II, of the City's Code of Ordinances, with the Atlanta Braves organization, for the installation of the Encroachments, in a form and pursuant to conditions determined by the Commissioner of the City's Department of Public Works and the City Attorney, to be desirable, appropriate and in the best interests of the City of Atlanta for this transaction.
- Section 2.** That the City Attorney is directed to prepare an Encroachment Agreement for Non-Conforming Uses in accordance with Section 138, Article II, of the City's Code of Ordinances.
- Section 3.** That the Encroachment Agreement for Non-Conforming Uses will not become binding upon the City and City will incur no liability under it until the Mayor has executed it, attested to by the Municipal Clerk and delivered to the Atlanta Braves Organization.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk

ADOPTED as amended by the City Council
APPROVED by the Mayor

March 21, 2005
March 25, 2005



ATLANTA BRAVES TRAILBLAZER SIGN ROUTES

GRICE

& ASSOCIATES, INC.
TWO MIDTOWN PLAZA
1349 WEST PEACHTREE STREET, N.E.
SUITE 1290
ATLANTA, GEORGIA 30309
404.577.6300 / 404.577.6310 FAX

RCS# 6559
3/21/05
2:26 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG 4-16 EXCEPT
05-R-0499 04-O-2111
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

| | | | |
|-----------|-------------|-----------|------------|
| Y Smith | Y Archibong | Y Moore | Y Mitchell |
| Y Starnes | Y Fauver | B Martin | Y Norwood |
| Y Young | Y Shook | Y Maddox | Y Willis |
| Y Winslow | Y Muller | B Sheperd | NV Borders |

CONSENT I

COMMITTEE AMENDMENT FORM

Committee TRANSPORTATION Page Number(s) _____

Ordinance I.D.# _____ Section(s) _____

Resolution I.D.# 05-R-0517 Paragraph _____

Date 3/16/15

Amendment: Delete the words "being ^{and} not fully described"
in the 3rd 'whereas'; and attach the Exhibit A.

WHLB OK

done
3/16/15

FRM
3/31/15